

## REMARKS/ARGUMENTS

### Status of Application

Entry of the foregoing amendments after final rejection as narrowing the issues and presenting the claims in condition for allowance is respectfully solicited. The foregoing amendments after final rejection are being presented for the first time as a result of an agreement with the examiner.

In the Office Action mailed February 18, 2005, independent claims 91 and 103 were rejected under §102(e) as being anticipated by U.S. Patent No. 6,254,483 to Acres. Independent claims 78 and 124 were rejected as being obvious over Acres in view of U.S. Patent No. 6,354,943 to Miura. Independent claim 114 was rejected as obvious over Acres in view of U.S. Patent No. 5,611,730 to Weiss. A petition for a one-month extension of time and the corresponding fee is submitted herewith.

In the above amendments, claims 78-90 and 114-132 have been cancelled. In view of above amendments and the following remarks, reconsideration of the application is respectfully requested.

### Acres §102 Rejection and Applicant's Interview Summary

On May 12, 2005, May 26, 2005 and June 17, 2005, Applicants' attorney, Aaron M. Peters (Reg. No. 48,801) conducted telephonic interviews with Examiner John M. Hotaling during which the Acres patent and independent claims 91 and 103 were discussed.

### **Claims 91-102**

Independent claim 91 is directed to a gaming unit that includes (1) a time generator that generates a time signal indicative of a time of day, and (2) a controller programmed to change a minimum bet in response to the time signal.

As discussed during the interviews, the Acres patent generally discloses varying configuration parameters, such as game speed, payback percentage and accrual of wagers in a bonus pool, in response to monitored variables, such as time, in order to influence the net cost to the player per unit time for playing casino games. (Col. 6, ll. 13-62; col. 9, ll. 4-7). The

effective wager per unit time required by the player is a function of payback percentage and game speed. (Col. 2, ll. 35-55).

Examiner Hotaling agreed during the interview of June 17, 2005 that the Acres patent as cited in the Office action does not anticipate the gaming unit of independent claim 91. In particular, the examiner agreed that the Acres patent does not specifically disclose changing a minimum bet in response to a time signal. Therefore, it is respectfully submitted that claim 91, and claims 92-102 which depend therefrom, are allowable over Acres.

### **Claims 103-113**

Independent claim 103 is directed to a gaming unit that includes (1) a time generator that generates a time signal indicative of a time of day, and (2) a controller programmed to change a denomination for the deposit of currency for the video gambling game in response to the time signal.

As discussed in greater detail above with respect to claim 91, the Acres patent appears to disclose changing particular configuration parameters (e.g., payback percentages, accrual of wagers in a bonus pool, game speed, etc.) in response to time.

Examiner Hotaling further agreed during the interview of June 17, 2005 that the Acres patent as cited in the Office action does not anticipate the gaming unit of independent claim 103. In particular, the examiner agreed that the Acres patent does not specifically disclose changing a denomination for the deposit of currency in response to a time signal. Therefore, it is respectfully submitted that claim 103, and claims 104-113 which depend therefrom, are allowable over Acres.

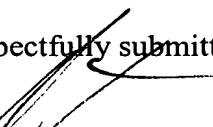
**Conclusion**

In view of the foregoing, it is respectfully submitted that the above application is in condition for allowance. If there is any matter that the Examiner would like to discuss, he is invited to contact the undersigned representative at the telephone number set forth below.

Dated: June 20, 2005

Respectfully submitted,

By: \_\_\_\_\_

  
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